

49 is franchised to sell, barter or exchange that particular make of new motor vehicle. The term
50 "new motor vehicle" shall include only those vehicles propelled by power other than muscular
51 power, but the term shall not include vehicles used as a commercial motor vehicle, off-road
52 vehicles, mopeds, motorcycles or recreational motor vehicles as defined in section 301.010,
53 RSMo, except for the chassis, engine, powertrain and component parts of recreational motor
54 vehicles. The term "new motor vehicle" shall also include demonstrators or lease-purchase
55 vehicles as long as a manufacturer's warranty was issued as a condition of sale[.];

56 **(12) "Nonconformity", a condition or defect which substantially impairs the use,**
57 **value or safety of a motor vehicle, and is covered by an express warranty applicable to the**
58 **motor vehicle or to a component of the motor vehicle, but does not include a condition or**
59 **defect which is the result of abuse, neglect or unauthorized modification or alteration of**
60 **the motor vehicle by a consumer;**

61 **(13) "Safety recall", a program whereby a manufacturer undertakes to provide**
62 **notice to consumers of a problem with a motor vehicle which poses safety risks to**
63 **consumers or others, and whereby the manufacturer remedies the risk by replacing or**
64 **repairing the motor vehicle subject to the recall;**

65 **(14) "Technical service bulletin", information issued by a manufacturer to dealers**
66 **to assist them in identifying and repairing problems discovered in new motor vehicles**
67 **which may improve performance or reduce future breakdown problems with the vehicle.**
68 **The term does not include safety recalls, owner notification programs or service**
69 **campaigns.**

407.565. For the purposes of sections 407.560 to [407.579] **407.581**, if a new motor
2 vehicle does not conform to all applicable express warranties, and the consumer reports the
3 nonconformity to the manufacturer, [or] its agent, **the new motor vehicle lessor or any of the**
4 **manufacturer's authorized motor vehicle dealers and makes the new motor vehicle**
5 **available for repair** during the term of such express warranties, or during the period of [one
6 year] **eighteen months** following the date of original delivery of the new motor vehicle to the
7 consumer, **or before the new motor vehicle's odometer accurately indicates that the vehicle**
8 **has traveled eighteen thousand miles**, whichever period expires earlier, the manufacturer, [or]
9 its agent, **or any authorized dealer**, shall make such repairs as are necessary to conform the new
10 vehicle to such express warranties, notwithstanding the fact that such repairs are made after the
11 expiration of such term or such [one-year] **eighteen-month or eighteen-thousand-mile** period.

407.567. 1. If, **after a reasonable attempt to repair, the nonconformity is not**
2 **repaired**, the manufacturer, through its authorized dealer or its agent, [cannot conform the new
3 motor vehicle to any applicable express warranty by repairing or correcting any default or
4 condition which impairs the use, market value, or safety of the new motor vehicle to the